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Office of Director
Technology Center 1600

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In re Application of
Fiona Catherine Millar
Serial No.: 08/999,752
Filed: June 4, 1997
Attorney Docket No.: 7755/0D276

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: WITHDRAWAL OF ABANDONMENT
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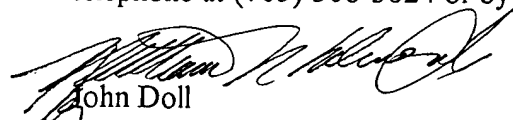
This is in response to applicant's petition under 37 CFR 1.181, filed July 24, 2000, requesting withdrawal of the holding of abandonment. The delay in acting on this petition is regretted.

A review of the file history shows that the examiner mailed a Final Office action to applicant on December 2, 1999, setting a three month shortened statutory time period for reply. Applicant's representative held an interview with SPE Thurman Page on February 24, 2000, (prior to the expiration of the three month shortened statutory period for reply) the result of which was an agreement by SPE Page to vacate (withdraw) the outstanding Office action and send a new Office action in due course. When no formal letter of withdrawal was received by applicant within a reasonable period of time SPE Page was again contacted and eventually, on June 1, 2000, sent a facsimile transmission to applicant's representative clearly stating that "the Final Rejection dated December 02, 2000 (sic - 1999) is hereby VACATED and an action on the merits will follow in due course." This paper has not been placed in the file wrapper and is not of record on the contents of the file wrapper. However, applicant's copy thereof accurately reflects the intent of SPE Page with respect to the conduct of prosecution in this application. Subsequently, on June 21, 2000, a Notice of Abandonment having attached to it the Interview Summary Form from the February 24, 2000, interview indicating that the Final Rejection would be vacated was mailed to applicant. From the evidence of record it is clear that this application was abandoned erroneously by the Office. The error is regretted.

Applicants' petition is **GRANTED**. The application is restored to pending status with the mailing of this decision.

The application will be forwarded to the examiner for further consideration.

Should there be any questions with regard to this letter please contact William R. Dixon, Jr. by letter addressed to the Director, Technology Center 1600, Washington, DC 20231, or by telephone at (703) 308-3824 or by facsimile transmission at (703) 308-7230.


John Doll
Director, Technology Center 1600